

Remarks

Reconsideration of this Application is respectfully requested.

Claims 1-25 are pending in the application, with claims 1, 10, 13, 16, 21, and 25 being the independent claims. No amendments have been made to the claims at this time.

Based on the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding rejections and that they be withdrawn.

Rejection under 35 U.S.C. § 102

The Examiner has rejected claims 1-25 under 35 U.S.C. § 102(e) as being allegedly anticipated by U.S. Published Patent Application No. 2005/0071657 to Ryan (hereinafter, "Ryan"). For the reasons set forth below, Applicants respectfully traverse.

Claims 1-9

Claim 1 recites, among other features, a "document retention policy being based on a **recurring** cut-off retention schedule" (emphasis added). Ryan does not teach or suggest at least this feature of claim 1.

Ryan mentions the use of only a single time-period in the retention of an electronic document that does **not** recur. *See* Ryan, paragraph [0037]. A document in Ryan is accessible to a user "until after a predetermined time in the future." *See* Ryan, paragraph [0037].

Because Ryan does not teach each and every feature of claim 1, it cannot anticipate the claim. Dependent claims 2-9 are similarly not anticipated by Ryan for the same reasons as independent claim 1, from which they depend, and further in view of

their own respective features. Accordingly, Applicants respectfully request that the rejection of claims 1-9 under 35 U.S.C. § 102(e) be reconsidered and withdrawn.

Claims 10-12

Independent claim 10 recites, among other features, "generating a **next** document retention key to be used to encrypt electronic documents during a **next** cut-off period" (emphasis added).

As noted above in regards to claim 1, Ryan does not teach or suggest the use of recurring cut-off periods for a single electronic document. In fact, Ryan teaches of a single retention period for each electronic document. *See* Ryan, paragraph [0037]. Consequently, there would be no need for Ryan to generate a **next** document retention key during a **next** cut-off period, as recited in claim 10.

Because Ryan does not teach each and every feature of claim 10, it cannot anticipate the claim. Dependent claims 11-12 are similarly not anticipated by Ryan for the same reasons as independent claim 10, from which they depend, and further in view of their own respective features. Accordingly, Applicants respectfully request that the rejection of claims 10-12 under 35 U.S.C. § 102(e) be reconsidered and withdrawn.

Claims 13-15

Independent claim 13 recites, among other features, a "retention access key only being usable for said encrypting during a cut-off period of a **recurring** cut-off retention schedule" (emphasis added).

As noted above with respect to claim 1, Ryan does not teach or suggest the use of a recurring cut-off retention schedule. Therefore, Ryan cannot anticipate claim 13.

Dependent claims 14-15 are also not anticipated by Ryan for at least the same reasons as independent claim 13, from which they depend, and further in view of their own respective features. Accordingly, Applicants respectfully request that the rejection of claims 13-15 under 35 U.S.C. § 102(e) be reconsidered and withdrawn.

Claims 16-20

Independent claim 16 recites, among other features a "retention access key being usable only during the document retention period following a cut-off period of a **recurring** cut-off retention schedule" (emphasis added).

As noted above with respect to claim 1, Ryan does not teach or suggest the use of a recurring cut-off retention schedule. Therefore, Ryan cannot anticipate claim 16. Dependent claims 17-20 are also not anticipated by Ryan for at least the same reasons as independent claim 16, from which they depend, and further in view of their own respective features. Accordingly, Applicants respectfully request that the rejection of claims 16-20 under 35 U.S.C. § 102(e) be reconsidered and withdrawn.

Claims 21-24

Independent claim 21 recites, among other features, a "document retention policy being based on a **recurring** cut-off retention schedule" (emphasis added).

As noted above with respect to claim 1, Ryan does not teach or suggest the use of a recurring cut-off retention schedule. Therefore, Ryan cannot anticipate claim 21. Dependent claims 22-24 are also not anticipated by Ryan for at least the same reasons as independent claim 21, from which they depend, and further in view of their own

respective features. Accordingly, Applicants respectfully request that the rejection of claims 21-24 under 35 U.S.C. § 102(e) be reconsidered and withdrawn.

Claim 25

Independent claim 25 recites, among other features, "an access manager operatively connected to said key store, said access manager makes available, **for each of the cut-off periods**, a different one of the public keys of the at least one cryptographic key pairs" (emphasis added). Ryan does not teach or suggest at least this feature of claim 25.

The above feature of claim 25 suggests the use of more than one cut-off period in restricting access to a single electronic file. In fact, an access manager is "operatively connected to said key store" to provide public keys for each of the cut-off periods. As noted above, Ryan does not teach or suggest the use of more than one cut-off period in the retention of a single document. Therefore, Ryan cannot anticipate claim 25. Accordingly, Applicants respectfully request the rejection of claim 25 under 35 U.S.C. § 102(e) be reconsidered and withdrawn.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,

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Date: 2/27/08

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